

At-A-Glance:

Recent Research Findings

Protecting Indian Women From Domestic Violence

Eileen Luna, Impact Evaluation of STOP Grant Programs for Reducing Violence Against Women Among Indian Tribes, final report submitted to NIJ, grant number 96-WT-NX-0006 (NCJ 186235).

When Congress made funds available for the development of ways to reduce violence against Indian women, tribal elders faced a challenging task: find ways to cooperate with various tribal and nontribal criminal justice agencies, and navigate the maze of law enforcement authority.

(For more discussion about the complexity of law enforcement in Indian Country, see “Policing on American Indian Reservations” by Wakeling, Jorgensen, and Michaelson, page 2.)

A recently released evaluation found that the tribes rose to the challenge. The grants to stop violence against Indian women have made a significant impact in the 14 Native communities that initially received awards.

The Congressional Mandate

Through Title IV, the Violence Against Women Act of the Violent Crime Control and Law Enforcement Act of 1994 (the Crime Act), Congress mandated that 4 percent of the funds allocated for violence against women grants be made available to Indian tribal governments to empower Native communities to combat violent crimes against women.

In fiscal year 1995, 14 tribal governments received grants from the Department of Justice’s Violence Against Women Office to develop ways to stop violence against Indian women. The money was made available through a program called STOP (Service–Training–Officers–Prosecutors).

Evaluating the Effects of Violence Against Women Grants

To assess the effects of the violence against Indian women grants, the Tribal Law and Policy Program at the University of Arizona, with NIJ funding, conducted an evaluation using surveys and

site interviews. In particular, researchers sought to learn about the unique cultural and political context within which each STOP program functioned.

Improved training. Many tribal grantees used their STOP violence against Indian women funds to train representatives from numerous agencies who came into contact with abused women.

The evaluators found that training improved both the efficiency and the number of responses to domestic violence situations, as well as increased awareness among community, police, prosecution, and judicial officials.

How to Get At-A-Glance Materials

Materials are available at:

- NIJ’s Web site at <http://www.ojp.usdoj.gov/nij>, or
- NCJRS, puborder@ncjrs.org, 1–800–851–3420, P.O. Box 6000, Rockville, MD 20849–6000.

The summaries in this section are based on the following:

Research in Progress Seminars. At these seminars, scholars discuss their ongoing research and preliminary findings with an audience of researchers and criminal justice professionals. Sixty-minute VHS videotapes of the Research in Progress seminars are available from the National Criminal Justice Reference Service (NCJRS) at 1–800–851–3420. Videotaped seminars are \$19 (\$24 in Canada and other countries).

NIJ Final Reports. These final submissions from NIJ grantees typically are available from NCJRS through interlibrary loan. In some cases, photocopies may be obtained for a fee. For information about these reports and possible fees, contact NCJRS.

NIJ Publications. Some of the information here is summarized from recent NIJ publications, which are available from the NIJ Web site or by contacting NCJRS. Refer to the documents’ accession (ACN) or NCJ numbers.

The evaluators found that, in general, the working groups successfully developed appropriate, tribal legislative codes and protocols for responding to violent crimes against Indian women, fostered interagency coordination, and created an atmosphere where issues related to violence against Indian women could be discussed in the community.

According to the data, increases in protection orders ranged from a 98-percent increase in one tribal community to a 50-percent increase in another. Prosecution rates rose as well; in one location, cases reaching court quadrupled after training.

Improved coordination. Other grantees formed working groups to bring together representatives from various community groups to design and review policies regarding the handling of sexual assault and domestic violence cases. These groups often included members from tribal courts, law enforcement, prosecution, victims' services, tribal council, social services, and community members.

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issues related to violence against Indian women could be discussed in the community.

Improved focus on Native culture. Tribes that received grants were creating programs that kept traditional views intact.

Before the STOP funding was available, Indian women who requested counseling often were referred to off-reservation counseling centers in surrounding towns. Such programs usually stress leaving the abusive situation and becoming self-sufficient — something that usually requires urbanization and is inappropriate for Native populations. Similarly, grantees view off-reservation batterer intervention programs as incompatible with tribal values, customs, and practices. With their STOP grants, tribes are developing on-reservation, culturally appropriate crisis intervention programs for women and their batterers.

Improving Enforcement

Tribal police and courts encounter significant problems getting tribal court orders and tribal legislative codes honored by other jurisdictions. To rectify this problem, grantees are:

- Negotiating full faith and credit agreements with outside jurisdictions.
- Expanding task forces or advisory boards to include nontribal law enforcement agencies to generate a more coordinated response.
- Constructing tribal legislative codes modeled after State codes in the hope that they will be more readily accepted by outside jurisdictions.
- Negotiating cross-deputization agreements with nontribal law enforcement agencies.

Four tribal grantees added a specialized domestic violence/sexual assault officer through the grant, and eight grantees developed mandatory arrest policies as a result of the STOP Violence Against Indian Women grant.

Most grantees used the discretionary portion of their awards to develop or supplement probation services and to develop or supplement court-mandated batterer intervention groups. Six tribes created a position in which someone tracks offenders' movements through the criminal justice system.

Increasing Conviction Rates

Overall, tribal grantees were prosecuting and sentencing domestic violence crimes more vigorously. Grant managers attributed the increased conviction rates both to initiation of the funding and to the resulting development of tribal legislative codes since the funding became available.

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Misperceptions in Vermonters' Opinions

John Doble with Judith Greene, Attitudes Toward Crime and Justice in Vermont: An Experiment With Restorative Justice, NIJ final report, grant number 98-IJ-CX-0028 (NCJ 182361).

Understanding public opinion is an integral part of any successful criminal justice system. To further under-

stand public opinion about the criminal justice system in Vermont, John Doble Research Associates and Judith Greene updated in 1999 an earlier 1994 study that found low public confidence in the entire system and broad public support for a reform that was subsequently enacted: the establishment of a statewide network of community-based reparative boards that give citizen volunteers the authority to determine and oversee nonincarcerative community-based punishments for an array of nonviolent offenders.

Common Misperceptions

The 1999 study found that Vermont's citizen evaluations of the performance of the criminal justice system had improved by 7 percent. The study also found

three misperceptions that seemed to be root causes of what is often called "the disconnect," which is the widespread alienation and cynicism people feel toward the government.

Misperception 1: Vermonters overestimate the crime rate in the State. More than 80 percent reported that crime had increased or was as common as it was 5 years ago. In truth, crime in Vermont, as in many jurisdictions, has been steadily decreasing.¹

Misperception 2: While 95 percent said that someone "convicted of violently raping a woman at knife-point" should be sent to prison, only 28 percent said this is what (always or almost always) happens. In truth, anyone convicted of such a crime would almost certainly be incarcerated in Vermont.²

Misperception 3: Sixty-three percent of Vermonters said that “many” violent offenders are released early because of prison overcrowding. Though not all violent offenders serve the maximum term imposed by the court, the truth is that none are released early just because of prison overcrowding.³

Fighting Misperceptions

No substitute exists for an informed public; misperceptions must be cleared up. But correcting misperceptions, the study suggests, is only part of the answer to restoring public confidence and making the public believe that the criminal justice system is fulfilling its mandate.

The authors suggest that reparative boards, a reform favored by 91 percent of the respondents, along with other approaches to reconnect the public, such as the establishment of community justice centers, have the potential to give people what they want —a sense of ownership over a significant piece of the criminal justice function.

Reparative boards encourage restoration of the victim and restitution by the offender, two top priorities for Vermonters, while simultaneously transferring decision-making authority from the bureaucracy to the community.

Allowing community members to decide what are appropriate sanctions and risks may be a way to reconnect the public to the criminal justice system while informing the

public about what is one of the government’s most basic functions.

For more information, contact John Doble, John Doble Research Associates, 375 Sylvan Avenue, Englewood Cliffs, NJ 07632, 201-568-7200, doble@carroll.com; or Judith Greene, Justice Strategies, 199 Washington Avenue, Brooklyn, NY 11205, 718-857-3316, greenej1@mindspring.com. The final report, under grant number 98-IJ-CX-0028, is available from NCJRS (NCJ 182361).

Notes

1. FBI Uniform Crime Report data show that index crime rates have been decreasing in Vermont for two decades. Part 1 violent crimes (murder, rape, aggravated assault, and robbery) have dropped from 179 per 100,000 citizens in 1980 to 106 per 100,000 in 1998. Part 1 property crime rates also have declined since they reached a peak of approximately 5,000 per 100,000 in 1979 to approximately 3,000 per 100,000 in 1998.
2. Data available from the Vermont Department of Corrections (DOC) do not allow for distinguishing between offenders who were convicted of FBI part 1 violent crimes using a knife or gun from those who did not. Of those convicted of a violent crime, about three-quarters are sentenced to a term of incarceration. Data also do not distinguish between offenders who

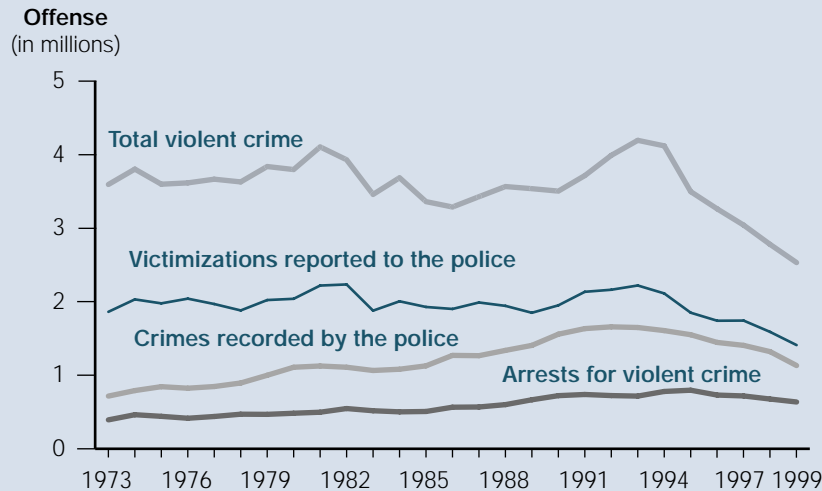
were convicted of rape using a knife from those who did not. Of all those convicted of a sex crime, about three-fifths are sentenced to a term of incarceration. Fifteen judges, State’s attorneys, and public defenders interviewed for the project said, with unanimity, that anyone convicted of rape at knifepoint would unquestionably be incarcerated in Vermont, probably for a sentence of at least 15 years and possibly for life.

3. Data available from the Vermont DOC show that early release of violent offenders is on the decline in Vermont and that violent offenders are serving longer terms of incarceration. In 1993, those sentenced for FBI part 1 violent crimes served an average of 29 months, having been released after serving —on average—just 29 percent of the maximum term imposed by the court. By 1998, these offenders were serving an average of 76 months, released —on average —after serving 59 percent of the maximum term. In background interviews, DOC officials said that although many violent offenders are released before serving the maximum term imposed by the court, such releases are unrelated to overcrowding and that it is DOC policy that no violent offenders are released early because of, or merely to ease, prison overcrowding.

Crime and Conviction Trends at a Glance from the Bureau of Justice Statistics

Four Measures of Serious Violent Crime, 1973-99

Serious violent crime levels continued to decline in 1999.

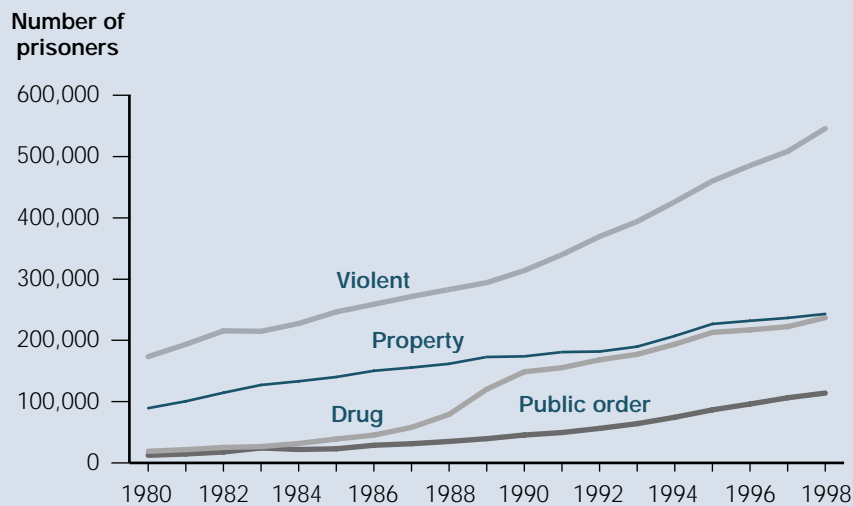


Sources: The National Crime Victimization Survey (NCVS), conducted by the Bureau of Justice Statistics, and the Federal Bureau of Investigation's Uniform Crime Reports (UCR).

View this graph and the data online at <http://www.ojp.usdoj.gov/bjs/glance/cv2.htm>.

State Prison Population by Offense Type, 1980-98

More than half the increase in State prison population since 1990 is due to an increase in the prisoners convicted of violent offenses.



Source: Bureau of Justice Statistics, *Correctional Populations in the U.S., 1996*, and *Prisoners in 1999*.

View this graph and the data online at <http://www.ojp.usdoj.gov/bjs/glance/corrtyp.htm>.

Homicide Rates Decline

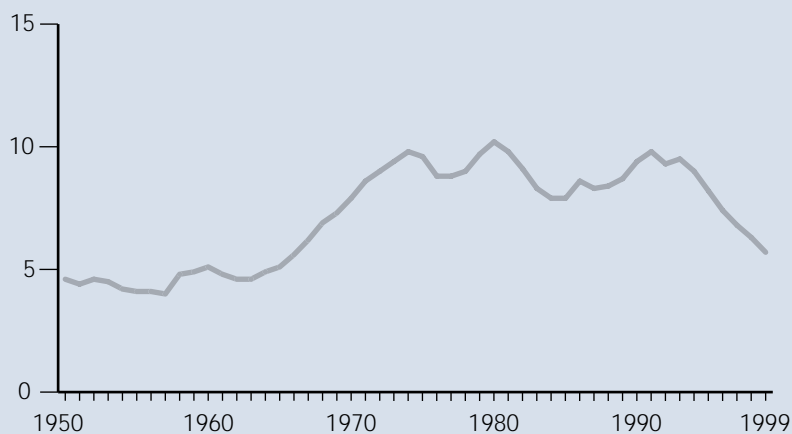
The Bureau of Justice Statistics has updated the "Homicide Trends" section of their Web site. The updated site contains charts that describe homicide patterns and trends in the United States since 1976.

Homicide is of interest not only because of its severity but also because it is a fairly reliable barometer of all violent crime. At a national level, no other crime is measured as accurately and precisely.

Visit "Homicide Trends in the United States" at: <http://www.ojp.usdoj.gov/bjs/homicide/homtrnd.htm>.

Homicide Victimization, 1950-99

Rate per 100,000 population



Source: FBI, Uniform Crime Reports, 1950-99.

View this graph and the data online at <http://www.ojp.usdoj.gov/bjs/homicide/hmrt.htm>.